

PATENT COOPERATION TREATY

RMB

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

L

PCT

To:

BRUNDIDGE, Carl I. et al
ANTONELLI, TERRY, STOUT & KRAUS
LLP
Suite 1800
1300 North Seventeenth Street *Docketed*
ARLINGTON, Virginia 22209
ETATS-UNIS D'AMERIQUE *KTB 1/21/03*

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 71.1)

Date of mailing (day/month/year)	21.01.2003
-------------------------------------	------------

Applicant's or agent's file reference 017.38448AP2	IMPORTANT NOTIFICATION
---	-------------------------------

International application No. PCT/IB01/00890	International filing date (day/month/year) 21/05/2001	Priority date (day/month/year) 24/05/2000
---	--	--

Applicant NOKIA CORPORATION et al

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

For the purpose of deciding whether the claimed invention is patentable or not, the elected Offices may apply criteria additional to or different from the criteria on which the international preliminary examination report is based (see Articles 27(5), 33(5)). Additional criteria may include e.g. exemptions from patentability and the requirements of enabling disclosure and of clarity and support of claims.

Name and mailing address of the IPEA/  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized officer Van Deursen, T Tel.+31 70 340-3478
--	---



PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 017.38448AP2	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/IB01/00890	International filing date (day/month/year) 21/05/2001	Priority date (day/month/year) 24/05/2000
International Patent Classification (IPC) or national classification and IPC H04M15/00		
Applicant NOKIA CORPORATION et al		
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>		
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application 		

Date of submission of the demand 10/12/2001	Date of completion of this report 21.01.2003
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized officer Todorut, C Telephone No. +31 70 340 2802



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/IB01/00890

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-27 as originally filed

Claims, No.:

1-59 as originally filed

Drawings, sheets:

1/11-11/11 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
- filed together with the international application in computer readable form.
- furnished subsequently to this Authority in written form.
- furnished subsequently to this Authority in computer readable form.
- The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- the description, pages:
- the claims, Nos.:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/IB01/00890

the drawings, sheets:

5. This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):
(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims
	No: Claims 1-59
Inventive step (IS)	Yes: Claims
	No: Claims 1-59
Industrial applicability (IA)	Yes: Claims 1-59
	No: Claims

2. Citations and explanations
see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IB01/00890

Re Item V

**Reasoned statement under Article 35(2) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

Reference is made to the following documents:

D1: WO 95 22230 A (ERICSSON TELEFON AB L M) 17 August 1995
(1995-08-17)

D2 : WO 99 56445 A (HUBBARD ELISABETH ;TELIA AB (SE)) 4 November 1999
(1999-11-04)

D3 : WO 99 41928 A (NOKIA TELECOMMUNICATIONS OY ;PALKISTO VIRPI
(FI)) 19 August 1999 (1999-08-19)

D4 : WO 97 26739 A (NOKIA TELECOMMUNICATIONS OY ;KARI HANNU H
(FI); HAEMAEELAEINEN JARI) 24 July 1997 (1997-07-24)

1. Although claims 1, 25, 36 and 49 as method claims and 35 and 59 as apparatus claims have been drafted as separate independent claims, they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought and in respect of the terminology used for the features of that subject-matter. The aforementioned claims therefore lack conciseness. Moreover, lack of clarity of the claims as a whole arises, since the plurality of independent claims makes it difficult, if not impossible, to determine the matter for which protection is sought, and places an undue burden on others seeking to establish the extent of the protection.

Hence, claims 1, 25, 35, 36, 49 and 59 do not meet the requirements of Article 6 PCT.

2. The application does not meet the requirements of Article 33(2), (3) PCT with respect of novelty and inventive step.
 - 2.1 **Claim 1** : Document D1 discloses a system and related method for identifying call records for a call on a cellular network , assigning a unique identification code for each call when the call is set up or when the call enters the network. The assigned identification code is stored in a field in an originating call record in a first node and then is forwarded to at least a second node in the network (see abstract, page 3, line 6 - line 24, figures 1, 2, 6 - 9 of document D1).

Therefore, the subject matter of claim 1 is considered to be not novel according to document D1.

Remark : The same objections apply for the subject matter of independent claims 25, 36 and 49 (see paragraph 1 above).

Therefore, the subject matter of independent claims 25, 36 and 49 is considered to be not novel according to document D1.
 - 2.2 The same objections, as been raised in paragraph 2.1 above, apply for the subject matter of independent claims 35 and 59 which only define the corresponding system/apparatus for implementing the method disclosed by independent claim 1 and 49 respectively.

Therefore, the subject matter of independent claims 35 and 59 are considered to be not novel according to document D1.
 - 2.3 Dependent claims 2-24, 26-34, 37-48, 50-58 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and inventive step, the reasons being as follows:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IB01/00890

2.3.1 The additional technical features of dependent claims 2-6, 19-24, 26-28, 32, 34, 37, 38, 45-48, 50-52, 56 and 58 are already been disclosed by document D1 (see e.g page 4, line 28 - page 11, line 9, claims 1-50) , therefore the subject matter of dependent claims 2-6, 18-24, 26-28, 32, 34, 37, 38, 45-48 it is considered to be not novel according to document D1.

2.3.2 Furthermore, the features of dependent claims 7-18, 29-31, 33, 39-44 , 53-55, 57 have already been employed for the same purpose in a similar method , see document D2 , abstract, page 9 , line 1 - page 17, line 30. It would therefore be obvious to the person skilled in the art, to apply these features with corresponding effect to a method according to document D1, thereby arriving at a method according to claims 7-18, 29-33, 39-44, 53-55, 57.

Therefore, the subject matter of dependent claims 7-18, 29-33, 39-44, 53-55, 57 is considered to be not inventive according to document D1 and D2 .

Remark : The same objections as above can be raised using document D3 and D4.